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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,991	10/06/2000	John Murata	001580-712	1957

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EXAMINER

TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 05/24/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/680,991

Applicant(s)

MURATA, JOHN

Examiner

LeChi Truong

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-3 are presented for the examination.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1- 3 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for “ wherein said internal server date provides access to network software date”, does not reasonably provide enablement for “ without network transport support”. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to the invention commensurate in scope with these claims.

As to claim 1-3, the limitation “ wherein said internal server date provides access to network software date”, does not reasonably provide enablement for the limitation “ without network transport support”.

#### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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3. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shi et al (US. Patent 5,875,290) in view of Pinard et al (US. Patent 5,657,446).

4. As to claim 1, Shi teaches the invention substantially as claimed including: a network server (the Web server, col 8, ln 15-67), an HTTP path name (the HTTP request / the cookie, col 8, ln 14-67), a client (the user, col 8, ln 15-67/the client, col 4, ln 50-67), an identify (the user id, password, col 8, ln 14-67), an identify of data (dce\_login, col 8, ln 14-67), container (DFS/database, col 8, ln 14-67), an administration module (the session manager, col 8, ln 14-67), data identified (the unique id, col 8, ln 14-67), subsequent transmission (sending back, col 8, ln 14-67).

5. Shi does not teach an internal server provide access to network software data, without network transport support. However, Pinard teaches an internal server provide access to network software data (a database for storing server system configuration data, ... and accessing application programs and the system configuration data, col 2, ln 10-20/ ln 25-43/ col 3, ln 35046/ col 4, ln 8-16col 7, ln 60-65/ col 8, ln 1-20), without network transport support (give up the control to a higher level application, col 4-20).

6. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Shi and Pinard because Pinard's a database for storing server system configuration data, ... and accessing application programs and the system configuration data, give up the control to a higher level application would facilitate integration of computer functions to provide enhanced communications functions.

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7. **As to claim 2**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shi et al (US. Patent 5,875,290) in view of Admitted Prior Art (APA) and further in view of Nozaki (US. Patent 6,128,644)

9. **As to claim 3**, Shi teaches server (the server, col 6, ln 14-67), an X module (session manager 27, col 6, ln 14-67), container (the DFS, col 6, ln 14-67/ DFS/ database, col 8, ln 14-67), a protocol (HTTP object to client, col 6, ln 14-67), HTTP command (HTTP/ cookie, col 6, ln 14-67/ the HTTP request / the cookie, col 8, ln 14-67), serve internal server data (document stored in DFS, col 6, ln 1-67, col 8, ln 32-60), a user device (the client/ user, col 6, ln 15-67/ col 8, ln 32-60), an URL (the URL, col 4, ln 50-67).

10. Shi does not teach stream server. APA teaches administrator software, stream server (page 2, ln 1-21).

11. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Shi and APA because APA's stream server would perform operating system commands, calls, and functions to obtain the internal server data.

13. Shi and APA do not teach an internal server provide access to network software data, without network transport support. However, Pinard teaches an internal server provide access to network software data (a database for storing server system configuration data, ... and accessing application programs and the system configuration data, col 2, ln 10-20/ ln 25-43/ col 3, ln

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35046/ col 4, ln 8-16 col 7, ln 60-65/ col 8, ln 1-20), without network transport support (give up the control to a higher level application, col 4-20).

14. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Shi, APA and Pinard because Pinard's a database for storing server system configuration data, ... and accessing application programs and the system configuration data, give up the control to a higher level application would facilitate integration of computer functions to provide enhanced communications functions.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

  
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